

Application Serial No. 09/754,010
Response dated: June 27, 2003
Reply to final Office Action of February 21, 2003

E-1950

REMARKS

Claims 18-23, 25-26 and 29-33 are pending in the application.

Reconsideration and withdrawal the Examiner's rejections are hereby respectfully requested in view of the following remarks.

The Examiner has considered the applicant's positions in view of the amendments and has issued an advisory action. Applicant has reviewed the advisory action and has amended claim 18 to more clearly and particularly articulate the applicant's present invention.

Claim 18 has been amended to recite that the composite article has a first layer having a first surface; and a second layer having a second surface. Claims 18 and 19 have been amended to recite that the *at least one second layer comprises a foam layer*.

First, claim 18 is distinguishable over the Lang reference, which the Examiner contends has a layer having discrete raised areas and recesses, which could therefore have different wound-contacting points. Applicant's invention, as recited in amended claim 18, above, specifies a first layer having a first surface and a second layer having a second surface. The Lang reference would not provide, as the applicant's invention does, a first surface on a first layer and a second surface on a second layer. Rather, Lang is cited by the Examiner to teach an apertured layer having discrete

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raised areas and recesses. Lang does not therefore appear to teach, suggest or disclose the applicant's composite where a first surface is provided on a first layer, a second surface is provided on a second layer, and the first surface and second surface comprising two different wound-contacting surfaces so as to provide disparate wound healing characteristics.

Accordingly, the Examiner's rejection of claim 18, with respect to Lang should be withdrawn.

Claim 19 recites "at least one first layer of material; and at least one second layer of material *bonded with said first layer of material*; wherein said at least one *first layer of material forms a first surface* of said article; wherein said at least one *second layer of material forms a second surface* of said article; and wherein said first surface and said second surface each have disparate properties for wound healing. Claim 19 therefore recites two layers of material, i.e., a first layer and a second layer. Once more, the first layer forms a first surface with wound healing properties which are disparate from the second surface formed by the second layer of material.

Claim 19 therefore is not taught, suggested or disclosed by Lang.

In addition, claims 18 and 19 have been amended to recite that the second layer comprises a foam layer.

The Examiner has also asserted that Lorenz reads on the present invention. This rejection is respectfully traversed in view of the above amendments. The

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Examiner contends that any article with two different surfaces made out of different material would have different healing characteristics. However, applicant notes that some surfaces may be antagonistic to healing, and therefore would not be a healing characteristic. Applicant has recited a healing characteristic, not a merely a different effect. The Examiner refers to the other side of the Lorenz bandage as having a healing characteristic.

Applicant's claims 18 and 19 as amended, recite that the second layer comprises a foam layer. Applicant is unable to find a teaching or disclosure of two disparate healing layers with two different surfaces, where one of the surface layers is a foam layer, as called for by claims 18 and 19. Both Lang and Lorenz are believed to be deficient of such a teaching or disclosure. Lang discloses an absorbent foam (21) which is an "intermediate" layer (see col. 7 lines 64-66). The Lang medicated dressing is disclosed with a moisture vapor transmitting film (22) and a conformable apertured net (23) as the wound facing layer, with an intermediate layer (21). Lang therefore, fails to teach, suggest or disclose the applicant's claimed invention where a foam layer is claimed as the second surface layer having one healing characteristic and a first layer is provided having a different healing characteristic. Lorenz also fails to disclose or suggest the applicant's present invention. Lorenz provides a method for making tacky, hydrophilic gel dressings, but does not appear to provide a foam layer as a second layer which forms a surface of the article and has wound

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healing characteristics different from the first surface.

For the above reasons, applicant submits that the present invention should be patentable, and seeks reconsideration and a withdrawal of the Examiner's rejections.

Applicant further points out that the dependent claims recite specific features of the present invention, which include a description of the surfaces which applicant submits do distinguish the surfaces over the cited prior art.

Claim 20 calls for a bonding agent, and claim 21 defines the bonding agent as a silicone compound

Claim 22 recites that the one first layer comprises at least one membrane layer, and claim 23 specifies the first layer as a silicone-containing compound

Claim 26 recites the first layer is a silicone-containing compound comprising an interpenetrating polymer network of polytetrafluoroethylene and silicone.

Claim 29 recites that the foam layer comprises polyurethane.

Claim 30 recites a pigment associated with at least one of said at least one first layer and the second foam layer for distinguishing the layers from one another.

Claim 31 recites that the at least one first layer comprises a substantially transparent material, and that the second foam layer comprises a substantially opaque material, and that the composite article includes a pigment for imparting a discernable color to one of the layers. Claim 32 also provides for a pigment, and calls for a silicone-containing bonding compound to which pigment is added.

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Claim 33 features a polymer film first layer with fenestrations therein.

The above features serve to further distinguish the applicant's present invention over the cited prior art references relied on by the Examiner.

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CONCLUSION

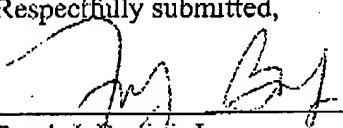
For the reasons set forth above applicant respectfully requests reconsideration and a withdrawal of the Examiner's rejections. Early allowance of the pending claims is earnestly solicited.

If further matters remain in connection with this response, the Examiner is invited to telephone the Applicant's undersigned representative to discuss them.

In the event that an extension of time, or further extension of time is necessary, in order for this response to be timely filed, Applicant hereby respectfully requests that this be considered a petition for the necessary extension of time.

The Commissioner is authorized to charge any additional fees, including extension fees, which may be required to Patent Office Deposit Account No. 05-0208.

Respectfully submitted,


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6/27/03